

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 06-225)

In the Application of:)
)
 Russell Vaughan Meddes et al) Examiner: James S. Bergin
)
Serial No. 10/575,021)
) Group Art Unit: 3641
Filed: April 7, 2006)
) Conf. No. 7051
Title: Improvements In And Relating To Perforators)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO THE JUNE 2, 2010 OFFICE COMMUNICATION

This is a Reply to the June 2, 2010 Office Action/Notice alleging that Applicant's November 23, 2009 Restriction Response was non-responsive. The examiner's position that the November 23, 2009 Restriction Response was non-responsive is hereby traversed for at least the reasons recited below. Moreover, the Applicant has conferred with the examiner by phone and the examiner has conceded that Applicant's Restriction Response was complete.

I. THE APPLICANT'S 11/23/2009 RESTRICTION RESPONSE WAS COMPLETE

The examiner alleged in the June 2, 2010 Office Action that applicant's November 23, 2009 Restriction Response was defective because the applicants have not indicated that their intention to withdraw claims directed to the non-elected inventions and species. The examiner's allegation is without merit because the examiner never made the Restriction Response final. Instead, in the action that the applicant responded on November 23, 2009, the examiner merely identified an error in the prior art reference alleged by the applicant for failing to disclose the special technical features of the claimed invention. The examiner never made the Restriction Requirement final in the prior Office Action or in any previously issued Office Action.